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C O N F I D E N T I A L SECTION 01 OF 02 SKOPJE 000758

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STATE FOR EUR/SCE

E.O. 12958: DECL: 09/15/2017

TAGS: [PGOV](#) [PREL](#) [MK](#)

SUBJECT: MACEDONIA: KICK-STARTING MAY 29 AGREEMENT
IMPLEMENTATION

REF: A. SKOPJE 533

[1](#)B. SKOPJE 567 AND PREVIOUS

Classified By: P/E CHIEF SHUBLER, REASONS 1.4(b) AND (d).

SUMMARY.

[1](#)1. (C) Governing VMRO and ethnic opposition DUI have made slight progress toward implementing their five-point May 29 agreement (ref A), with tentative steps toward codifying a list of 46 laws that would require a qualified (Badinter) majority, and the government having approved a draft law on composing the parliamentary committee on inter-ethnic relations (but which DUI has yet to review). With both sides agreeing in principle how to proceed on the GOM's proposed social benefits package for victims of the 2001 conflict, chances are fair that the two sides will reach additional agreement on the practical steps needed to implement that proposal. Less promising are chances that the sides will reach agreement on a draft law on the use of languages, given the fact that neither DUI nor governing coalition junior partner DPA appears willing to share credit for what could be seen as a watershed legislative achievement for the ethnic Albanian community. End summary.

TENTATIVE STEPS TOWARDS IMPLEMENTATION OF 5-POINT MAY 29 AGREEMENT

[1](#)2. (SBU) Implementation of the US-EU-brokered five-point May 29 agreement between governing VMRO and ethnic Albanian opposition DUI began July 9 (ref A), with separate working groups meeting to discuss a law on languages and a package of social benefits for victims of the 2001 conflict. Since then, there have been a few follow-on meetings of both working groups, interrupted by a several-week hiatus during the parliamentary summer recess. Emboffs have observed the language law working group proceedings, while our EUSR colleague have followed working group discussions on the victims of conflict issue.

SOME PROGRESS ON THE FIRST TWO POINTS OF THE AGREEMENT

[1](#)3. (SBU) Despite the willingness of both sides to meet, there has been no breakthrough on either the language law or the victims of conflict issue. There has, however, been some progress on the first point of the agreement -- the VMRO side has proposed the list of 46 laws for which a Badinter majority vote would be required (as agreed with DUI), and has

amended the government's draft parliamentary rulebook to include them. Opposition SDSM has, however, blocked passage of the rulebook, arguing that it -- inter alia -- unfairly limits speaking time during parliamentary debates.

¶4. (SBU) On revision of the method of composing the parliamentary committee on inter-ethnic relations (point two of the agreement), VMRO has submitted a draft amendment that party leaders claim would address DUI's key concerns about when MP candidates are required to declare their ethnicity. The government approved the proposal at the beginning of September, and has sent it to parliament for debate, but without first consulting with DUI. DUI VP Arifi says the party is unhappy that it was not consulted on the draft law, but that it intends to play a constructive role in discussing the bill's passage in parliament.

LIMITED MOMENTUM ON LANGUAGE LAW

¶5. (SBU) In separate meetings September 13 with DUI VP Teuta Arifi and with VMRO Executive Committee members Zoran Stavreski (Deputy Prime Minister) and Martin Protoger (PM Gruevski's Chief of Staff) P/E Chief and EUSR POLAD Walsh reviewed progress made so far on implementing the May 29 agreement, and discussed steps both sides could take to accelerate momentum toward completing the tasks required.

¶6. (SBU) On the language law (the third point of the agreement), Arifi said DUI believed the "pace of discussions was unsatisfactory," and insisted that the process could not continue indefinitely. She argued that the two sides should discuss the VMRO and DUI draft legislation proposals already prepared and should each show flexibility in reaching a

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compromise on the language of a final text.

¶7. (C) VMRO's Stavreski and Protogjer, however, were unyielding in their contention that the DUI draft goes beyond the constitution and the Framework Agreement in its approach to the use of language. They insisted on using the VMRO draft law as a starting point, arguing that it would be more efficient to work with a single document. They also said the process had to take into account the concerns of VMRO's ethnic Albanian coalition partner, DPA, that it not be excluded from receiving credit for eventual passage of a law on languages, which would constitute a watershed legislative achievement for the ethnic Albanian community.

¶8. (C) P/E Chief and EUSR's Walsh countered that VMRO should, at a minimum, provide DUI with specific comments explaining in detail why it believed the DUI language exceeded the working group's mandate. They also suggested that the two sides agree to produce in the working group a draft law that was "60-70 percent" complete, and then submit that to parliament for further discussion and debate in the appropriate committees, which Stavreski and Protoger agreed to consider. The VMRO representatives, however, remained skeptical that the process would lead to a mutually satisfactory outcome anytime soon.

POTENTIAL SOLUTION FOR VICTIMS OF CONFLICT

¶9. (C) Regarding the GOM's offer to provide a package of social benefits, including employment opportunities, to victims of the 2001 conflict, DUI's Arifi said the party would not provide the list of victims the government had requested. She said the party was concerned that GOM officials could misuse such a list. Instead, she proposed that the government explicitly state under which existing laws victims of the conflict, including former NLA members, could apply for the benefits, and then provide a mechanism so those victims could do so. Both Stavreski and Protoger later told us the GOM could accept that proposal, as long as the terms of reference did not restrict access to benefits to DUI supporters only. (NOTE: There has been no movement, by either

side, on point five -- agreement to further discussions in parliament on the method of composition of government. Both sides, however, understood that was a throwaway point when the May 29 agreement was concluded, and that there were no limitations on discussion of that issue in parliament to begin with. END NOTE.)

COMMENT

¶10. (C) The government appears to want to close this chapter in its relations with DUI, but by doing the bare minimum necessary to complete implementation of the five-point May 29 agreement. Completing the first two points, the Badinter list and the draft law on the inter-ethnic committee, is likely if the opposition eventually comes around to supporting VMRO's proposed amendments to the parliamentary rulebook and its draft law on the inter-ethnic committee (the latter being far less contentious than the former, from the opposition's point of view). The social benefits package solution for the victims of conflict issue also appears within reach; the mechanics of how to apply for such benefits and how to verify those applications remain stumbling blocks, both surmountable, in that process.

¶11. (C) The language law discussions, however, are more complex and less likely to yield a compromise outcome. VMRO has remained deaf to our repeated proposals that it consult with coalition partner DPA in advance of discussions with DUI, and that VMRO include DPA's suggestions on the draft law in its working text. If the two sides do reach a "70 percent solution" and submit the draft to parliament, they will therefore face the challenge of how to ensure DPA support for the draft proposal or, in DUI's case, be ready to compromise with DPA to allow the latter to share credit for completing a major ethnic Albanian agenda item. Given the history of contentious relations between those two parties, that would be a long-shot outcome. End comment.
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